

**NOTICE.**

AND WANCHT SEAH BAKERY COMPANY  
 have the honor to inform the public that  
 they commenced their Bakery and are prepared to  
 furnish families with all descriptions of bread,  
 and bread, fancy biscuits, water crackers &c., &c.  
 All the above supplied with a superior article of flour  
 the best raised in the  
 The best flour is used for these purposes and  
 no work is carried on under European super-  
 vision.  
 Samples can be seen at Messrs Thos. Hunt  
 & Co., and/or, at their with their will meet with  
 Comendate attention.  
 11 Hongkong, 15th June, 1864.

The Burnswick's Baking Powder which is much used in most of the Bakeries in England make the Bread light will be also used in their Bakery and the work Superintended by a European.

**TO BE LET.**  
With immediate possession.  
**THE** newly-erected, well-finished and conveniently situated Dwelling: **HOUSE:** No. 2 Alexandra Terrace, — containing Six Rooms; Four Bath, &c. — at a low office rent, waterable, and

and commanding a view of the harbour.  
For further particulars apply to  
S. B. RAWLING,  
Architect,  
10, Club Chambers,  
HONGKONG, 18th June, 1864.

giving perfume, and a powerful disinfectant. Its useful and sanitary properties render it an indispensable requisite, especially in warm climates.

**OTHER ARTICLES RECOMMENDED—**  
**DRINNET'S LAVENDER WATER**, distilled

RIMMEL'S JOCKEY CLUB, Frangipani, &c.,  
of exquisite fragrance.  
RIMMEL'S GLYCERINE, Honey, Windsor,  
and other Toilet Soaps.  
RIMMEL'S LIME JUICE and Glycerine for  
beautifying the Hair.  
RIMMEL'S PERFUME VAPORIZER, Per-  
fume Fountains, &c. &c.

Sold by all Perfumery Vendors.

RIMMEL, Perfumery to W. R. H. the Prince

98, Strand, and 24, Cornhill, London.

NOTICE.

OUR Partnership ceases to-day, by lapse of time.

The business will from this date be carried on by Mr. ROBERT J. JOIT WALKER, who will settle all outstanding accounts.

WALKER, BORRADAILE & Co.

Hongkong, 16th June, 1884.

W ment, the business of the late Firm of  
WALKER, BORRADAILE & Co. will from  
this day be carried on by MR ROBERT SCOTT  
WALKER under the style and title of  
ROB. S. WALKER & Co.  
Hongkong, 18th June, 1861.

if Hongkong, 16th June, 1884.

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FOR SHANGHAI, TIENSIN, TAKU  
AND CHEFOO.

**T**HE Steam-ship

"CHUSAN,"

starting at Whampoa and Hongkong, will have

For freight or passage, apply to  
**KWONG-HANG-TSUN,**  
Bonham Strand.  
1w Hongkong, 24th June, 1864.

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**BARQUE "RAMOLINA."**  
I BE undersigned hereby gives notice, that his  
Vessel Chartered in London by Messrs

to load or proceed to sea in a few days, and it  
 quests the agents of the chartered to communi-  
 cate with him as soon as possible;  
**ROBERT CROWLEY,**  
*Master.*  
 1w Hongkong, 24th June, 1864.

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**NOTICE.**  
 A Chee-chi, who has lately kept a Shop, at Wes-

for Sale, superior genuine Vermillion which  
makes himself.

A CHEE-CHI  
3m Hungkong, 24th June, 1864.

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MILINERY AND DRAPERY  
ESTABLISHMENT,  
MACAO.

THOS. PEACOCK has the pleasure in informing the Public his intention of opening Branch Establishment, at the above place early in July, for a limited time only.  
VICTORIA EXCHANGE,  
Hongkong, 24th June, 1862. 68

"EVEREST" from LIVERPOOL.  
CONSIGNEES of Cargo by the above Vessels are requested to send in their Bills of Lading to the undersigned for countersignature and to take immediate delivery of their Goods. Those having the option of delivery at Whampoa, as

tend taking delivery.  
 of Hongkong, 10th June, 1864.  
 DENT & Co.  
 "COREA" FROM LONDON.  
 CONSIGNEES of cargo by the above mention  
 vessel are requested to send in their Bills  
 Lading to the undersigned for countersignature  
 at the office of the Agents, Messrs. Dent & Co.,  
 10, South Street, London, E.C.

requesting the opium to be delivered at Whampoa as requested to state at once at which port they intend taking delivery.

SMITH KENNEDY & Co.  
of Hongkong, 8th June, 1864.

NOTICE.

THE following Cases are still unclaimed & are lying in the "Messageries Imperiales" Company's

B (in diamond),	1 Case.
J. L. & Co., No. 11.	1 do.
Pusculo Pastorethy.	1 do.
B.	2 do.
J. M. S. & D.	7 do.

Hongkong, 24th June, 1864.

$\frac{d}{dt} \left( \frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$











## EXTRACTS.

Earl Russell to Sir F. Bruce  
on the order in Council  
of 13 June 1863.

Sir—Her Majesty's Government have had under their consideration, and they have consulted the Law Officers of the Crown upon your despatch of the 23rd of December last, and its inclosures, respecting the protest of Prince Kung against the attempt made to sue, before British tribunals, British subjects in the service of China for acts done by them in the exercise of the authority conferred on them by the Government of China.

I have now to state to you that it appears to Her Majesty's Government that you have fallen into an error by confounding two distinct questions, viz., a question relating to the infringement of rules made under the Order in Council of the 13th of June, 1863, and a question as to alleged civil liability as between British subjects in the Consular Courts in China.

It appears to Her Majesty's Government that you are mistaken in treating the question which you have referred to them for decision as depending upon the 4th and following Articles of the Order in Council. These Articles relate to the infringement of the Treaty and other regulations, and to the punishment of such infringements by penalties, and not in any way to civil liability.

But in the present case a difference has arisen between "British subjects," that is, the complainant and the person complained of, not both British subjects. To such a case the 12th Article of the Order in Council applies, and the Consul of the district is competent to hear and determine the matter. His decision is subject to an appeal to the Consul General, and if the Consul General's decision is not satisfactory, the case may be referred to the Supreme Court of Hongkong, and not to the Chief Superintendent.

This proceeding before the Consul will be a case of a civil nature, and Her Majesty's Government are of opinion that the suit ought to be entertained under Article 12 of the Order in Council.

Her Majesty's Government also think that the Court which should entertain it would be bound to give judgment for the defendant, upon the facts of the case, and that the Chinese functionary in the Chinese Customs being either admitted or proved, for Her Majesty's Government conceive that a British subject employed not civilly amenable to the British Courts, and not a British subject, acts done by him in his official capacity.

There remains the question to the power of the Supreme Court at Hongkong to issue a mandamus to the Consul General, and so far as Her Majesty's Government are aware, such a power cannot be assumed by the Court at Hongkong, which, without such authority, merely a Court of Appeal, and in some cases of concurrent jurisdiction.

I shall only further observe that these difficulties have arisen from an error on the subject of the unsatisfactory state of the Chinese discipline forces in this province.

The Franco-Chinese force now consists of about 1,500 men, and under French discipline. The Anglo-Chinese force was agreed between the Taou-tai and Captain Dew should be kept at 1,000 men, unless more were required, and to be paid monthly payment for the same of 12,000 dollars, and I know that both the Taou-tai and the Chinese are perfectly well satisfied with this force. Unfortunately the Taou-tai is subject to the caprice of the province, who is making efforts to have all the disciplined forces disbanded, being probably prejudiced against the same, as may also be his succeeding Taou-tai or Pao-tai, whereby the continuance of this part of the province, is placed on a most precarious footing, being subject to the caprice of the highest Chinese officials. Great efforts have been made, and assistance afforded, by Her Majesty's Government in this neighbourhood, both as to supplies of munitions, drilling troops and otherwise, but I am afraid without effect; the last supply of munitions brought by us from Shanghai and landed over to the Taou-tai by Captain Dew, viz., 1,000 French muskets, and other rounds of ball cartridges, besides guns and other stores, is ascertained, too late to remonstrate, and has been handed over to the Taou-tai and his undisciplined troops, which is almost throwing them away.

The Anglo-Chinese force, I have every reason to be satisfied with, and the Commander, Colonel Cooke, is a good and honest officer, and his discipline and monetary arrangements are satisfactory. It is almost needless to say that the expense of this force is not so very great, and the Chinese, as the payments into the Treasury of this Taou-tai (consisting of three "foos" or first class cities) for the last quarter was 1,000,000 dollars, and of course as this tract of country is now cleared of rebels, it must necessarily increase; also if the disciplined troops are discharged, he will take their place.

I have the honour to lay this statement before you in case you should deem it necessary to communicate on the subject to Her Majesty's Minister at Peking who might take steps to have matters put on a more satisfactory footing by arrangement with the Government at Peking. I would also suggest the advisability of Colonel Cooke receiving a commission from Her Majesty, and being desired Mr. Forrest, Acting Consul here to allow remonstration to be made out in Chinese for me, addressed to the Taou-tai, who is at present so sick to be sent, and to acquaint him that Her Majesty's ships being elsewhere engaged he must not count on immediate assistance should the rebels, as is very probable they will, return to this neighbourhood. Mr. Forrest has entered into the subject with the Taou-tai, and these remonstrances will take effect for a short time, but will have no permanent result.—161d.

Sir F. Bruce to Consul Sinclair  
A lesson to Consul.

I have just received your explanation of the case of the "Pearl." The deliberate seizure and confiscation by the Chinese authorities of a vessel under Treaty is not such an act of "force" as justifies the Consul in having recourse to violent measures, even if it is a violation of the Treaty. The view taken by me of Treaty rights, it is an abuse of authority, for which refusal is to be sought and damages claimed from the Imperial Government. It rests with the Minister at Peking, after communication with the Imperial Government, by what measures the claim is to be enforced. The Consul is not entitled to force. It is absolutely essential that he should bear in mind the distinction between acts of violence committed by persons without authority; for which the Chinese Government is not responsible, and abuse of authority committed by its employees, for which it is responsible. The first class of acts is to be met by "force," the second class is to be met by "protest."

According to the highest legal opinion, contraband goods on board a British ship, can be seized by the Chinese authorities without a Consul warrant. It is desirable that such a warrant should be applied for, in order that dispute may be avoided, but if there are contraband goods on board a British ship, the officers of Chinese Customs may enter and seize them without a Consul warrant, may enter and seize them without a Consul warrant, and if resisted by the master, the latter will be guilty of the same offence as if he had resisted Chinese Customs officers. The British Consul recognizes the right to confiscate vessels and cargo trading at non-Treaty ports, and I have no doubt under the British Treaty as to right of the Chinese to seize a vessel which brings to a Treaty port cargo taken in at a place not open by Treaty, and on a vessel entering the port with a contraband cargo on board, and cargo becomes confiscable, whether landed or not.

The fact that the Consul has no power to deal with such cases, does not deprive the Chinese Government of its right to pursue and seize a vessel guilty of clandestine trading, whenever they can catch her in their waters, as long as she has on board the cargo illicitly shipped.

It is not by petty smuggling along the coast that the commercial interests of Great Britain will be advanced. The case of the "Pearl" must be discussed before I can pronounce positively; but in the meantime I may state that I do not consider the vessel liable to confiscation if she took in her cargo

under a licence issued by a competent Chinese authority, and had she been seized under such circumstances I should have obtained damages for the act, but though the seizure might have been unjustifiable, you were not justified in doing more than protest.—161d.

A Second Lesson.  
Peking, January 24 1863.  
Sir—Where a vessel is engaged in a trade prohibited by Treaty, the clearest evidence must be adduced by the owner, if he tries to defend the proceeding by establishing in his favour a claim of exemption from the prohibition.

The "Pearl" was bound therefore to have produced when she entered the port of Foo-chow, the permission of competent Chinese authority to carry sail, and this document ought, on the face of it, to have shown that it was given to her as a British vessel; for I cannot allow that individuals of Chinese extraction, whether subjects of the British settlement at Hongkong or Singapore, are to take advantage of their origin so as to be at one and the same time to evade restrictions put upon British trade by Treaty, by representing themselves as Chinese, and then to evade what they call the exactions of the Chinese authorities by claiming British protection.

I am therefore of opinion that the document given by the Taou-tai authority was not sufficient to save the "Pearl" from the consequences of the breach of Treaty committed by her in trading with a port not open by Treaty, and in bringing a prohibited cargo to Foo-chow; for it does not state that it was issued to a British-owned vessel and it gives the Chinese and not the British name of the craft.

I have to instruct you to execute strictly the Treaty in the matter of clandestine and prohibited trade, and to instruct you to keep up a feeling of alarm and aversion to foreigners among the authorities and the population of China. You must be aware from your experience at Ningpo that it is the duty of the British Consul to keep up a feeling of alarm and aversion to foreigners among the authorities and the population of China.

I have also to observe that the Chinese Government in employing foreigners in its Custom-house is doing what foreign Powers have advised her to do, and of improvement of her revenue, which in other countries has led to the best results.

I expect Her Majesty's Consul to set an example to foreign communities of treating with respect the government of the most important offices, and who are not inferior to them either in character or social position. It is your duty in this way to strengthen their influence with the Chinese provincial authorities, as it is to that influence that we must look for the peaceful execution of Treaty privileges, and for the gradual introduction of progressive ideas into Chinese administration which are essential to the growth of its maxims to the growing development of trade.

I shall only further observe that these difficulties have arisen from an error on the subject of the unsatisfactory state of the Chinese discipline forces in this province.

The Franco-Chinese force now consists of about 1,500 men, and under French discipline. The Anglo-Chinese force was agreed between the Taou-tai and Captain Dew should be kept at 1,000 men, unless more were required, and to be paid monthly payment for the same of 12,000 dollars, and I know that both the Taou-tai and the Chinese are perfectly well satisfied with this force.

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I have just received your explanation of the case of the "Pearl." The deliberate seizure and confiscation by the Chinese authorities of a vessel under Treaty is not such an act of "force" as justifies the Consul in having recourse to violent measures, even if it is a violation of the Treaty. The view taken by me of Treaty rights, it is an abuse of authority, for which refusal is to be sought and damages claimed from the Imperial Government. It rests with the Minister at Peking, after communication with the Imperial Government, by what measures the claim is to be enforced. The Consul is not entitled to force. It is absolutely essential that he should bear in mind the distinction between acts of violence committed by persons without authority; for which the Chinese Government is not responsible, and abuse of authority committed by its employees, for which it is responsible. The first class of acts is to be met by "force," the second class is to be met by "protest."

According to the highest legal opinion, contraband goods on board a British ship, can be seized by the Chinese authorities without a Consul warrant. It is desirable that such a warrant should be applied for, in order that dispute may be avoided, but if there are contraband goods on board a British ship, the officers of Chinese Customs may enter and seize them without a Consul warrant, may enter and seize them without a Consul warrant, and if resisted by the master, the latter will be guilty of the same offence as if he had resisted Chinese Customs officers. The British Consul recognizes the right to confiscate vessels and cargo trading at non-Treaty ports, and I have no doubt under the British Treaty as to right of the Chinese to seize a vessel which brings to a Treaty port cargo taken in at a place not open by Treaty, and on a vessel entering the port with a contraband cargo on board, and cargo becomes confiscable, whether landed or not.

The fact that the Consul has no power to deal with such cases, does not deprive the Chinese Government of its right to pursue and seize a vessel guilty of clandestine trading, whenever they can catch her in their waters, as long as she has on board the cargo illicitly shipped.

It is not by petty smuggling along the coast that the commercial interests of Great Britain will be advanced. The case of the "Pearl" must be discussed before I can pronounce positively; but in the meantime I may state that I do not consider the vessel liable to confiscation if she took in her cargo

under a licence issued by a competent Chinese authority, and had she been seized under such circumstances I should have obtained damages for the act, but though the seizure might have been unjustifiable, you were not justified in doing more than protest.—161d.

A Second Lesson.  
Peking, January 24 1863.  
Sir—Where a vessel is engaged in a trade prohibited by Treaty, the clearest evidence must be adduced by the owner, if he tries to defend the proceeding by establishing in his favour a claim of exemption from the prohibition.

The "Pearl" was bound therefore to have produced when she entered the port of Foo-chow, the permission of competent Chinese authority to carry sail, and this document ought, on the face of it, to have shown that it was given to her as a British vessel; for I cannot allow that individuals of Chinese extraction, whether subjects of the British settlement at Hongkong or Singapore, are to take advantage of their origin so as to be at one and the same time to evade restrictions put upon British trade by Treaty, by representing themselves as Chinese, and then to evade what they call the exactions of the Chinese authorities by claiming British protection.

I am therefore of opinion that the document given by the Taou-tai authority was not sufficient to save the "Pearl" from the consequences of the breach of Treaty committed by her in trading with a port not open by Treaty, and in bringing a prohibited cargo to Foo-chow; for it does not state that it was issued to a British-owned vessel and it gives the Chinese and not the British name of the craft.

I have to instruct you to execute strictly the Treaty in the matter of clandestine and prohibited trade, and to instruct you to keep up a feeling of alarm and aversion to foreigners among the authorities and the population of China. You must be aware from your experience at Ningpo that it is the duty of the British Consul to keep up a feeling of alarm and aversion to foreigners among the authorities and the population of China.

I have also to observe that the Chinese Government in employing foreigners in its Custom-house is doing what foreign Powers have advised her to do, and of improvement of her revenue, which in other countries has led to the best results.

I expect Her Majesty's Consul to set an example to foreign communities of treating with respect the government of the most important offices, and who are not inferior to them either in character or social position. It is your duty in this way to strengthen their influence with the Chinese provincial authorities, as it is to that influence that we must look for the peaceful execution of Treaty privileges, and for the gradual introduction of progressive ideas into Chinese administration which are essential to the growth of its maxims to the growing development of trade.

I shall only further observe that these difficulties have arisen from an error on the subject of the unsatisfactory state of the Chinese discipline forces in this province.

The Franco-Chinese force now consists of about 1,500 men, and under French discipline. The Anglo-Chinese force was agreed between the Taou-tai and Captain Dew should be kept at 1,000 men, unless more were required, and to be paid monthly payment for the same of 12,000 dollars, and I know that both the Taou-tai and the Chinese are perfectly well satisfied with this force.

Unfortunately the Taou-tai is subject to the caprice of the province, who is making efforts to have all the disciplined forces disbanded, being probably prejudiced against the same, as may also be his succeeding Taou-tai or Pao-tai, whereby the continuance of this part of the province, is placed on a most precarious footing, being subject to the caprice of the highest Chinese officials. Great efforts have been made, and assistance afforded, by Her Majesty's Government in this neighbourhood, both as to supplies of munitions, drilling troops and otherwise, but I am afraid without effect; the last supply of munitions brought by us from Shanghai and landed over to the Taou-tai by Captain Dew, viz., 1,000 French muskets, and other rounds of ball cartridges, besides guns and other stores, is ascertained, too late to remonstrate, and has been handed over to the Taou-tai and his undisciplined troops, which is almost throwing them away.

The Anglo-Chinese force, I have every reason to be satisfied with, and the Commander, Colonel Cooke, is a good and honest officer, and his discipline and monetary arrangements are satisfactory. It is almost needless to say that the expense of this force is not so very great, and the Chinese, as the payments into the Treasury of this Taou-tai (consisting of three "foos" or first class cities) for the last quarter was 1,000,000 dollars, and of course as this tract of country is now cleared of rebels, it must necessarily increase; also if the disciplined troops are discharged, he will take their place.

I have the honour to lay this statement before you in case you should deem it necessary to communicate on the subject to Her Majesty's Minister at Peking who might take steps to have matters put on a more satisfactory footing by arrangement with the Government at Peking. I would also suggest the advisability of Colonel Cooke receiving a commission from Her Majesty, and being desired Mr. Forrest, Acting Consul here to allow remonstration to be made out in Chinese for me, addressed to the Taou-tai, who is at present so sick to be sent, and to acquaint him that Her Majesty's ships being elsewhere engaged he must not count on immediate assistance should the rebels, as is very probable they will, return to this neighbourhood. Mr. Forrest has entered into the subject with the Taou-tai, and these remonstrances will take effect for a short time, but will have no permanent result.—161d.

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